



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Pecen, Mark E. et al.	Group Art Unit:	2681
Application No.:	10/712,483	Examiner:	
Date Filed:	11/13/03	Batch No.:	
Title:	Method and Apparatus for Predicting a Cell Change		

## INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner For Patents  
Alexandria, VA 22313-1450

SIR:

In accordance with 37 C.F.R. §1.56 and in compliance with 37 C.F.R. §§1.97 and 1.98, the references listed on attached Form PTO/SB/08 and/or subsequently identified herein, are for consideration by the United States Patent and Trademark Office. Pursuant to the Office waiving the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC §371 after June 30, 2003, copies of the reference are not submitted herewith.

## I. COPIES

- a.  A legible copy of (i) each U.S. and foreign patents; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed, is included herewith.
- b.  Any patents, publications or other information which are listed on PTO/SB/08 which are not enclosed herewith were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. §120:

U.S. Serial Number

U.S. Filing Date

## II. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

- a.  Except as may be indicated below in (b) of this section, all of the patents, publications or other information are in the English language (concise explanation not required).
- b.  A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
- c.  The following additional information is provided for the Examiner's consideration:

III.  CROSS REFERENCE TO RELATED APPLICATION(S)

The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this (these) applications to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. §122.

Serial No.

Filing Date

Art Unit

## FEES

IV.  THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(b): (check one box)

- a.  within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. §1.97(b)(1)). No fee or statement is required.
- b.  within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. §1.97(b)(2)). No fee or statement is required.
- c.  before the mailing date of a first Office Action on the merits (37 C.F.R. §1.97(b)(3)). No fee or statement is required.
- d.  before the mailing date of a first Office Action after the filing of a request for continued examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.

- V.  **THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(c):** (check one box)  
 before the mailing date of any of a Final Office Action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (See 37 C.F.R. §1.97(c)).  
 a.  No statement; therefore, charge Deposit Account 502117 the fee set forth in 37 C.F.R. §1.17(p).  
 b.  See the statement below. No fee is required.
- VI.  **THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(d):**  
 on or before payment of the issue fee and is accompanied by the following:  
 1) a statement under 37 C.F.R. §1.97(e) as provided below; and  
 2) charge Deposit Account 502117 the petition fee set forth in §1.17(p).
- VII.  **STATEMENT UNDER 37 C.F.R. §1.97(e) (check only one box, if applicable)**  
 The undersigned hereby states that  
 a. each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of IDS; or  
 b. no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and to knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement, or  
 c. some of the items of information contained in the IDS were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement.

**PAYMENT OF FEES**

- A check in the amount of \_\_\_\_\_ is enclosed for the above-identified fee(s).  
 Please charge Deposit Account No. 502117 in the amount of \$180.00 for the above-indicated fee(s).  
 If Applicant has overlooked any additional fees, or if any overpayment has been made, the Commissioner is hereby authorized to credit or debit Deposit Account 502117.  
 Two Copies of this paper are attached for Deposit Account charges and debits.

The above references are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in a combination, to a person of ordinary skill in the art.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 502117.

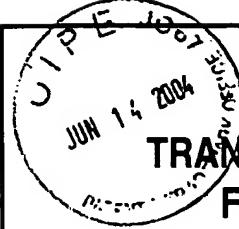
Respectfully submitted,  
 Pecen, Mark E. et al.



Randall S. Vaas  
 Attorney for Applicant(s)  
 Reg. No. 34,479  
 Tel. 847-523-2327

MOTOROLA, INC.  
 Customer Number 20280

Enclosures:  PTO/SB/08  
 References  
 Foreign Search Report  
 Other:


**TRANSMITTAL  
FORM**

		Application Number	10/712,483
		Filing Date	11/13/03
		First Named Inventor	Pecen, Mark E. et al.
		Group Art Unit	2681
		Examiner Name	
Total Number of Pages in this Submission	5	Attorney Docket Number	CS21844RL

**ENCLOSURES**

(check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Communication to Group
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-Related papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Extension of time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Status Letter with appropriate copies
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below)
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Response to Restriction Requirement
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> CD, Number of CDs	<input type="checkbox"/> Associate Power of Attorney
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	<input type="checkbox"/> RCE
<input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53		

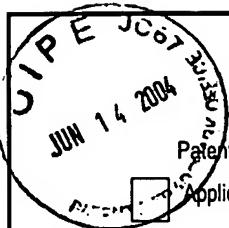
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual	Randall S. Vaas	Registration No.	34,479
Signature			
Date	6-7-2004		

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage thereon, as first-class mail, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on the date listed below:

Typed or printed name	Jennifer Magness		
Signature		Date	6/07/04



# FEE TRANSMITTAL

Patent fees are subject to annual revision

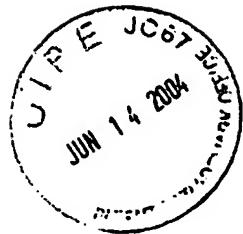
Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 0.00)

Attorney Docket No. CS21844RL

METHOD OF PAYMENT (check all that apply)						FEE CALCULATION (continued)																																																																																																																																																																																																																																																																							
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number <b>502117</b> Deposit Account Name <b>Motorola, Inc.</b>						<b>3. ADDITIONAL FEES</b> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">Large Entity</th> <th style="width: 20%;">Small Entity</th> <th colspan="4"></th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th colspan="2">Fee Description</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td colspan="2">Surcharge – late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td colspan="2">Surcharge – late Provisional filing</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td colspan="2">Non-English specification</td></tr> <tr><td>1812</td><td>2520</td><td>1812</td><td>2520</td><td colspan="2">For filing a request for ex parte Reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td colspan="2">Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1840*</td><td>1805</td><td>1840*</td><td colspan="2">Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td colspan="2">Extension for reply within first month</td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td colspan="2">Extension for reply within second month</td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td colspan="2">Extension for reply within third month</td></tr> <tr><td>1254</td><td>1480</td><td>2254</td><td>740</td><td colspan="2">Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>2010</td><td>2255</td><td>1005</td><td colspan="2">Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td colspan="2">Notice of Appeal</td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td colspan="2">Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td colspan="2">Request for oral hearing</td></tr> <tr><td>1451</td><td>1510</td><td>1451</td><td>1510</td><td colspan="2">Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td colspan="2">Petition to revive – unavoidable</td></tr> <tr><td>1453</td><td>1330</td><td>2453</td><td>665</td><td colspan="2">Petition to revive – unintentional</td></tr> <tr><td>1501</td><td>1330</td><td>2501</td><td>665</td><td colspan="2">Utility issue fee (or reissue)</td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td colspan="2">Design issue fee</td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td colspan="2">Plant issue fee</td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td colspan="2">Petitions to the Commissioner</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td colspan="2">Processing fee under 37 CFR 1.17(q)</td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td colspan="2">Submission of IDS</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td colspan="2">Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td colspan="2">Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td colspan="2">For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td colspan="2">Request for Continued Examination (RCE)</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td colspan="2">Request for expedited examination of a design application</td></tr> <tr> <td colspan="6" style="text-align: center;">Other fee (specify) _____</td> </tr> <tr> <td colspan="6" style="text-align: center;">* Reduced by Basic Filing Fee paid</td> <td colspan="6" style="text-align: center;">SUBTOTAL (3) (\$ 0.00)</td> </tr> <tr> <td colspan="6" style="text-align: center;">**OR NUMBER PREVIOUSLY PAID, IF GREATER THAN STANDARD ALLOWANCE.</td> <td colspan="6" style="text-align: center;">Complete (if applicable)</td> </tr> <tr> <td colspan="6" style="text-align: center;">*For Reissues, see above</td> <td colspan="6"></td> </tr> <tr> <td colspan="6" style="text-align: center;">SUBMITTED BY</td> <td colspan="6"></td> </tr> <tr> <td>Name (Print/Type)</td> <td colspan="5" style="text-align: center;"><i>Randall S. Vaas</i></td> <td>Registration No.</td> <td colspan="2">34,479</td> <td>Telephone</td> <td colspan="2">847-523-2327</td> </tr> <tr> <td>Signature</td> <td colspan="5"></td> <td>Date</td> <td colspan="5"><i>6/7/2004</i></td> </tr> </tbody> </table>						Large Entity	Small Entity					Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description		1051	130	2051	65	Surcharge – late filing fee or oath		1052	50	2052	25	Surcharge – late Provisional filing		1053	130	1053	130	Non-English specification		1812	2520	1812	2520	For filing a request for ex parte Reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1480	2254	740	Extension for reply within fourth month		1255	2010	2255	1005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1510	1451	1510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive – unavoidable		1453	1330	2453	665	Petition to revive – unintentional		1501	1330	2501	665	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1806	180	1806	180	Submission of IDS		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify) _____						* Reduced by Basic Filing Fee paid						SUBTOTAL (3) (\$ 0.00)						**OR NUMBER PREVIOUSLY PAID, IF GREATER THAN STANDARD ALLOWANCE.						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DOCKET NO.: CS21844RL

PTO/SB/08A (04-03)

Substitute for form 1449A/PTO				<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number	10/712,483
				Filing Date	11/13/03
				First Named Inventor	Pecan, Mark E. et al.
				Group Art Unit	2681
				Examiner Name	
(use as many sheets as necessary)				Attorney Docket Number	
Sheet	1	of	1	CS21844RL	

U. S. PATENT DOCUMENTS

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature		Date Considered	
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation, if not in conformance and not considered. Include copy of this form with next communication to applicant.